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Dated: January 25, 2007

Signature:

(Denise Kacinski)

Docket No.: 62069DIV2(51590)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Gavril W. Pasternak et al.

Application No.: 10/823,365

Confirmation No.: 4859

Filed: April 13, 2004

Art Unit: 1617

For: TOPICAL ANESTHETIC/OPIOID  
FORMULATIONS AND USES THEREOF

Examiner: L. M. Williams

### INFORMATION DISCLOSURE STATEMENT (IDS)

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement, pursuant to 37 CFR 1.114(c), accompanies the Request for Continued Examination (37 CFR 1.114) submitted herewith.

Copies of the references on the PTO/SB/08 are not provided, as they were cited in the parent case, now U.S. Patent No. 6,825,203.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be

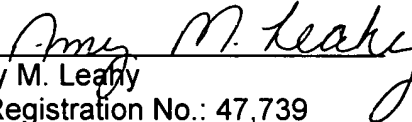
an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62069DIV2(51590).

Dated: January 25, 2007

Respectfully submitted,

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Substitute for form 1449/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number	10/823,365-Conf. #4859	
			Filing Date	April 13, 2004	
			First Named Inventor	Gavril W. Pasternak	
			Art Unit	1617	
			Examiner Name	L. M. Williams	
Sheet	1	of	1	Attorney Docket Number	62069DIV2(51590)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	KANEKO et al. "Interaction of intrathecally infused morphine and lidocaine in rats (part I): synergistic antinociceptive effects." <i>Anesthesiology</i> 89(6), (1998) *ABSTRACT only	
	CB	MULLER et al. "Cancer pain: beneficial effect of ketamine addition to spinal administration of morphine-clonidine-lidocaine mixture." <i>Ann Fr. Anesth Reanim</i> 15(3), (1996) * ABSTRACT only	
	CC	KATZUNG Basic and Clinical Pharmacology, page 402 (1995) *ABSTRACT only	
	CD	MOORE et al. "Topical Morphine in a Canine Model: A Pilot Study." <i>PUB MED Abstract PMID 9749679</i> (1998)	
	CE	KRAJNIK et al. "Potential Uses of Topical Opioids in Palliative Care-Report of 6 cases." <i>PMID 10204724</i> (1999)	
	CF	TWILLMAN et al. "Treatment of Painful Skin Ulcers with Topical Opioids." <i>PMID 10203881</i> (1999)	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Signature		Date Considered	
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